

REMARKS

Claims 23-26, 28-31, 33, 34, 38-44, 46, 47 and 51-62 are pending in the application. Claims 54-56 are withdrawn. By this paper, Claims 27, 32, 35-37, 45 and 48-50 have been canceled; the specification and Claims 23, 26, 28, 40, 46 and 51 have been amended; and claims 57-62 are newly presented. Bases for the amendments and support for the new claims can be found throughout the application, drawings and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejection in view of the amendments and remarks contained herein.

NEWLY PRESENTED CLAIMS

Newly presented Claims 57 - 62 are drawn to a nonelected species. Applicant notes that Claims 57-59 and Claims 60-62 are similar to Claims 35-37 and Claims 48-50, which were canceled by this paper, except that they depend from Claim 30 and 43, respectively.

DRAWINGS

Concerning the failure of Figure 4 to show the first end cap, Applicant has amended to the specification by the paper to refer to Figure 4 as being a cross-sectional view of a portion of the decoupler assembly of Figure 1. Accordingly, Applicant respectfully submits that the first end cap need not be shown in Figure 4.

SPECIFICATION

The Examiner has objected to the specification for an informality in the discussion of the operation of the decoupler assembly at pages 10 and 11 in which the "side 45" and the "side 47" of the slot (43) in the thrust plate (39) were inadvertently switched.

Applicant has filed herewith a substitute specification correcting the above-described informality, as well as correcting the description of each of the drawings. Applicant notes that material inserted to the specification is underlined and that material deleted from the specification has been either struck out or double bracketed in accordance with the provisions of 37 C.F.R. §1.125. Applicant respectfully submits that the amendments to the specification (i.e., the substitute specification) does not add new matter.

In view of the above remarks, Applicant respectfully submits that the objection to the specification has been rendered moot.

CLAIM OBJECTIONS

Claims 23 and 51 were objected to for reciting the phrase "wherein torsion spring is axially compressed between the hub and the carrier". Applicant has amended Claims 23 and 51 to delete the recitation of this phrase and as such, Applicant submits that the objection has been rendered moot.

Claim 24 was objected to as failing to further limit the subject matter of Claim 23. In view of the above-described amendment to Claim 23, Applicant submits that the objection to Claim 24 has been rendered moot.

REJECTION UNDER 35 U.S.C. § 112

Claims 28-31, 33, 34, 41-44, 46, 47, and 51-53 stand rejected under 35 U.S.C. § 112, second paragraph, as failing to comply with the written description requirement. In this regard, the Examiner has stated that there is no support in the application as originally filed for the limitations of Claims 28, 31, 41, 44 and lines 36-42 of Claim 51. This rejection is respectfully traversed.

Concerning Claims 28, 41 and 51 at lines 36-40, Applicant submits that bases for the claim may be found in the originally filed specification at page 8, line 10 through page 9, line 7 (line 4 of paragraph [0032] through the end of paragraph [0033] in the clean version of the Substitute Specification), page 10, lines 11-24 (paragraph [0037] in the clean version of the Substitute Specification) and page 11, lines 1-16 (paragraph [0038] in the clean version of the Substitute Specification).

Applicant notes that the anti-ramp up boss 77 of the carrier 75 engages the anti-ramp up side 45 of the slot 43 when the hub 22 over runs the pulley 50. Applicant notes, too, that rotary power is not transmitted between the pulley and the hub when the hub over runs the pulley. Accordingly, Applicant submits that one of ordinary skill in the art would appreciate that the originally filed application discloses that "the clutch element is in a first condition that inhibits transmission of rotary power from the pulley to the carrier when the anti-ramp up feature is positioned at the first slot end".

Applicant notes that engagement of the anti-ramp up boss 77 in the torque lock up side 47 of the slot 43 limits the torsional load transmitted through the torsional spring 90 at a maximum design torque. Accordingly, Applicant submits that one of ordinary

skill in the art would appreciate that the originally filed application discloses that "the clutch element is in a second condition that facilitates transmission of rotary power from the pulley to the carrier when the anti-ramp up feature is positioned at the second slot end".

The Examiner has stated on page 7 of the above-referenced Office Action that "an abutting relationship between the anti-ramp up feature 77 and the first slot end 45 does not effect the clutch element" and that "an abutting relationship between the anti-ramp up feature 77 and the second slot end 47 does not effect the clutch element 71". Applicant agrees and notes that none of Claims 28, 41 or 51 at lines 36-40 recite such cause-and-effect relationship. Rather, Claims 28, 41 and 51 at lines 36-40 merely describe the condition of the clutch element when the anti-ramp up feature is in a particular position.

Concerning Claims 31, 44 and 51 at lines 41-42, Applicant directs the Examiner to page 9, line 18-page 10, line 10 of the originally filed application (paragraph [0036] of the clean version of the Substitute Specification) as well as the discussion for Claim 28, above, for bases for the limitations of Claim 31. Applicant notes that the distribution of torque through the torsion spring is well described in the application and submits that one of skill in the art would appreciate that torque is transmitted through the decoupler at the time when the anti-ramp up boss 77 is in the torque lock up side 47 of the slot 43 to limit the torsional load transmitted through the torsional spring 90 at a maximum design torque. Claims 31, 44 and 51 at lines 41-42 do not describe a cause-and-effect relationship between the anti-ramp up feature and the operation of the wrap spring but

merely describe the condition of the wrap spring when the anti-ramp up feature is in a particular position.

In view of the above remarks, Applicant submits that the Office has not presented a *prima facie* case of lack of written description. As the Examiner knows, "the examiner has the initial burden of presenting evidence or reasons why persons skilled in the art would not recognize in [the] specification disclosure a description of the invention defined by the claims." *Ex parte Sorenson*, 3 USPQ2d 1462, 1463 (BPAI 1987) (citing *In re Wertheim*, 541 F.2d 257, 191 USPQ 90 (CCPA 1976)). Moreover, in describing the written description requirement, the CCPA has stated that "[i]t is not necessary that the application describe the claim limitations exactly, but only so clearly that persons of ordinary skill in the art will recognize from the disclosure that appellants invented processes including those limitations." *In re Wertheim*, 541 F.2d 257, 191 USPQ 90 (CCPA 1976). Furthermore, "[a]dequate description under the first paragraph of 35 U.S.C. §112 does not require *literal* support for the claimed invention". *Ex parte Parks*, 30 USPQ2d 1234 (BPAI 1994).

Accordingly, reconsideration and withdrawal of the rejection of Claims 28-34, 41-47, and 51-53 under 35 U.S.C. §112, first paragraph are respectfully requested.

Claims 23-26, 38, and 39 stand rejected under 35 U.S.C. § 112, second paragraph, for lack of enablement.

Applicant has amended Claim 23 to include a clutch element and as such, Applicant submits that the rejection of Claims 23-26, 38 and 39 has been rendered moot. Accordingly, reconsideration and withdrawal of the rejection of Claims 23-26, 38 and 39 under 35 U.S.C. §112, first paragraph, are respectfully requested.

Claims 26-33 and 51-53 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Concerning Claims 26-33, Applicant notes that Claim 26 has been amended to depend from Claim 25 (rather than Claim 24) and as such, Applicant submits that the rejection of Claims 26-33 has been rendered moot. Accordingly, reconsideration and withdrawal of the rejection of Claims 26-33 under 35 U.S.C. §112, second paragraph, are respectfully requested.

Concerning Claim 51-53, Applicant notes that Claim 51 has been amended to delete the phrase "wherein torsion spring is axially compressed between the hub and the carrier" and as such, Applicant submits that the rejection of Claims 51-53 has been rendered moot. Accordingly, reconsideration and withdrawal of the rejection of Claims 51-53 under 35 U.S.C. §112, second paragraph, are respectfully requested.

ALLOWABLE SUBJECT MATTER & REJECTION UNDER 35 U.S.C. § 102

The Examiner states that Claim 27 would be allowable if rewritten in independent form. The Examiner has also rejected Claims 23, 24, and 38 under 35 U.S.C. § 102(b) as being anticipated by Karge et al. (U.S. 1,507,921).

Applicant notes that Claim 23 has been amended by this paper to include the limitations of Claim 27 and as such, Applicant respectfully submits that Claims 23, 24 and 38 are in condition for allowance.

The Examiner has also stated that Claim 40 would be allowable if rewritten in independent form. Accordingly, Applicant has amended Claim 40 to include the limitations of the base claim and any intervening claims. Therefore, Claim 40 should now be in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

/ Michael D. Zalobsky /

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